

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 11-CR-20129-35

WAYNE R. WERTH,

Defendant.

ORDER DENYING WITHOUT PREJUDICE MOTION TO WITHDRAW AS COUNSEL

On April 15, 2014, the court conducted a hearing on Attorney Jeffrey M. Day's "Motion to Withdraw as Counsel", in which he asks to withdraw as court-appointed counsel for Defendant Wayne R. Werth. Government counsel was present for some of the hearing, and then, agreement, excused themselves for a portion of the hearing which occurred *ex parte* and will be sealed. During the *ex parte*, sealed portion of the hearing, the court gave both Defendant and Mr. Day certain instructions and cautions regarding the roles of attorney and client in a criminal matter. For the reasons more fully articulated on the record,

IT IS ORDERED that the motion to withdraw [Dkt. # 726] is DENIED WITHOUT PREJUDICE. IT IS FURTHER ORDERED that the "Motion to Enjoin" [Dkt. # 732], filed *pro se* by Defendant Werth, is DENIED. As has been explained to Defendant before, he cannot file motions while represented by counsel. [See, eg., Dkt. # 704].

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 16, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 16, 2014, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522